

**MINUTES OF THE CHARTER TOWNSHIP OF MUNDY
REGULAR BOARD MEETING HELD MARCH 9, 2009**

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The Regular Meeting of the Charter Township of Mundy was called to order by Supervisor D. Guigear at 7:00 P.M. SUPERVISOR D. Guigear, CLERK T. Ketzler, TREASURER J. Oskey, TRUSTEES M. Frost, B. Harrison, B. Morey and D. Owens were present. Also present was ATTORNEY J. Belzer, FIRE CHIEF T. Romans, POLICE MARSHAL J. Petres and FINANCE DIRECTOR K. Ruddy. The Pledge of Allegiance was led by Trustee D. Owens.

Supervisor D. Guigear announced that Mundy Township lost one of its leaders this week with the death of Donald Halka. Mrs. Halka brought a wreath to the meeting and our flags were flying at half staff. Supervisor Guigear requested that a moment of silence be held in honor of Mr. Halka.

There were no minutes approved at this meeting.

PUBLIC COMMENTS: There was no one in the audience who wished to speak.

Motion by Clerk T. Ketzler, seconded by Treasurer J. Oskey to add the following items to the agenda:

1. Clerk – Add as Item C: Memorial Tree
2. Police – Add as Item B: Ticket Writing Software

ANNOUNCEMENTS:

Supervisor D. Guigear announced that the Planning Commission Meeting will be held on March 11, 2009 at 7:00 P.M. and the Zoning Board of Appeals Meeting will be held on March 25, 2009 at 7:00 P.M.

A. Career Awards:

Treasurer J. Oskey presented Career Achievement Awards to two employees who recently retired. The first award was presented to Deborah Cross with 15 years of dedicated service and the second award was given to Christine Walker who had more than 30 years of dedicated service. Treasurer Oskey thanked Deborah and Christine for their years of service to the Township.

A. Richfield Disposal:

A representative from Richfield Disposal gave a presentation regarding the Rewards for Recycling program. This program is similar to the speedy rewards or free flier miles that are offered by other companies. At the present time there are only 19.8% of the residents in Mundy Township that are using the recycling program. A detailed explanation was given regarding the rewards for recycling program and how the homeowners would financially benefit from the program. There would be a chip or scanner that could be placed on the side of the recycling bin and those points would be redeemable from area businesses that support the program. The support that has been received from the businesses has been thrilling and there is no cost to the businesses. The point system was explained as well as the ability to win prizes such as a gas grill, get-a-ways, flat screen TV's and more. The chips or scanner will identify the people who are not using the recycling system. There is the possibility of using recycling carts, which are larger than the bins that are currently being utilized. Over 45% of everything that goes in the trash can be recycled. Discussion followed. Supervisor Guigear said this issue is on tonight's agenda.

COMMITTEE REPORTS:

FIRE DEPARTMENT: Fire Chief T. Romans:

A. Monthly Report:

Fire Chief T. Romans said the Board had a copy of the monthly report. Chief Romans said the

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fender mishap for 38-26 will be taken care of on Thursday. Also, Engine 38-21 is back from having the water tank replaced and is functioning properly.

B. Spring Fire School:

Chief Romans said he is requesting that the Board approve sending two fire personnel to the Spring Fire School. This request was recommended for approval by the Fire Committee. The lodging is included in the cost, which will not exceed \$150.00 for tuition and \$55.00 per night for lodging. This was a budgeted item for 2009.

Motion by Treasurer J. Oskey, seconded by Trustee B. Morey to approve the Fire Chief to send two individuals from the Fire Department to attend the Spring Fire School, including lodging, at a cost of \$150.00 for Tuition and \$55.00 per night for lodging. All ayes. Motion carried unanimously.

C. Smoke Reading Class:

Chief Romans said he is requesting to send five personnel to class on reading smoke conditions on May 16th at a cost of \$50.00 per person. There is no lodging required. Chief Romans also said he is requesting to send another five personnel to the same class on May 17th with the cost being \$50.00 per person, with no lodging required. Chief Romans said these classes are not a budgeted item, but he is not planning to send two people to the FDIC and he plans to use the funds that are available to pay for the two classes.

Motion by Trustee M. Frost, seconded by Clerk T. Ketzler to approve the Fire Chief to send five personnel to the class on reading smoke conditions on May 16th and also, sending another five personnel to the same class on May 17th, at a cost of \$50.00 per person, plus wages. No lodging I required. All ayes. Motion carried unanimously.

POLICE DEPARTMENT: Police Marshal J. Petres

A. Disposal of Property:

Marshal J. Petres explained that he would like to dispose of two patrol cars and other equipment such as several computers. The Police Department recently received two new patrol vehicles and they were placed into service. The two vehicles that are being disposed of were previously approved for sale. Marshal Petres asked for Board approval to list these items on the BidCorp auction site and complete the sale of the items to the successful bidders.

Motion by Clerk T. Ketzler, seconded by Trustee D. Owens to approve Marshal J. Petres to list the two patrol cars and the computer equipment on the BidCorp auction and complete the sale of the items to the successful bidders. All ayes. Motion carried unanimously.

B. Ticket Writing Software:

Marshal Petres said in 2007, the Mundy Township Board approved a request from the Police Department to participate with other departments, the Court and Central Dispatch in several electronic records systems. A copy of the minutes is attached where the Board approved this process. When the budget was prepared in 2008, the system was not yet operational. The funds for the project were appropriated for 2008 and the payment will be charged back to the 2008 budget as accounting procedures require. The invoice is dated 2-24-09 and is due by 3-24-09. The amount of the invoice is \$5,700.00 and has no impact on the 2009 budget.

Motion by Treasurer J. Oskey, seconded by Trustee D. Owens to approve and authorize the payment of invoice number 408 in the amount of \$5,700.00 from Genesee County 911 Consortium for the APS Paperless Ticket system hardware, software and annual maintenance. All ayes. Motion carried unanimously.

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FINANCE DEPARTMENT: Karen Ruddy, Financial Director:

Karen Ruddy said she had nothing to report.

ATTORNEY: J. Belzer

Attorney J. Belzer said he had nothing to report.

TOWNSHIP COMMUNICATIONS: There were no communications presented.

SUPERVISOR: D. Guigear:

A. Chloride Contract:

Supervisor D. Guigear said the calcium chloride application on gravel roads has to be addressed. The Township pays for the second and third applications and the County pays for the first application. We are going to be discussing a number of road projects to be done, but tonight we need to decide whether we will have two or three applications of calcium chloride. Board discussion followed regarding the need for the third application.

Motion by Trustee D. Owens, seconded by Trustee B. Harrison to approve and authorize three applications of 38% calcium chloride on unpaved roads in Mundy Township for 2009. All ayes. Motion carried unanimously.

B. Road Paving Contract:

Supervisor Guigear briefly reviewed the Engineering Package and the Maintenance Package for Brewer, Jennings and Sharp Road repairs. Supervisor Guigear asked that the Board consider the maintenance package. Supervisor Guigear also noted that the cost of the work that would be done on Maple Ave. from Linden Road to Elms Road would be shared with Flint Township. The cost to each Township would be \$114,230.28 using the maintenance package.

Motion by Supervisor D. Guigear, seconded by Treasurer J. Oskey to approve using the maintenance package for the resurfacing of Maple Ave. from Linden Road to Elms Road at a cost of \$114,230.28 for Mundy Township. All ayes. Motion carried unanimously.

Supervisor Guigear said that Sharp Road from Reid Road to Grand Blanc Road is slated for repair. In the grading system, with 10 being the highest, Sharp Road is at a level 2. The cost of the repairs using the maintenance package is \$124,671.65. Discussion followed.

Motion by Supervisor D. Guigear, seconded by Treasurer J. Oskey to approve and authorize using the maintenance package for the resurfacing of Sharp Road from Reid Road to Grand Blanc Road in the amount of \$124,671.65. All ayes. Motion carried unanimously.

Supervisor D. Guigear explained that if Jennings Road were to be resurfaced it would have to be paid for by using General Fund monies as we are over on our road budget. Supervisor Guigear asked the Board to consider the repairs for Jennings Road from Grand Blanc Road to Reid Road using the money from the General Fund. The cost for the repairs to Jennings Road, using the maintenance package would be \$124,671.65. A lengthy Board discussion followed regarding the use of General Fund money for the repairs to Jennings Road.

Motion by Clerk T. Ketzler, seconded by Trustee B. Morey to proceed with the resurfacing of Jennings Road from Reid Road to Grand Blanc Road using the maintenance package and using the money from the General Fund at a cost of \$124,671.65. Motion carried 6-1 with DO voting no.

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C. Richfield Recycling:

Supervisor Guigear said the recycling issue was previously brought before us and we didn't pass on that assessment to the residents. Recycling is important and it costs the Township \$.75 per household at the end of the year. The recycling rewards program would be an exploratory program to ascertain if the residents of Mundy Township wish to participate in the program. This could be a win-win program if the community participates. Discussion followed concerning the types of bins available for use. Supervisor Guigear asked the Board to consider moving ahead with the program on a trial basis.

Motion by Clerk T. Ketzler, seconded by Trustee D. Owens to approve and authorize participating on a trial basis with the Recycling Rewards program using our existing bins and beginning the program when it is feasible and ending no later than December 31, 2009. All ayes. Motion carried unanimously.

D. Planning and Engineering Bids:

Supervisor Guigear said it has been our experience that the Planning and Engineering issues need to be bid out to consultants. We also have the Master Plan that needs to be updated. Wade Trim, Inc. said they would hold their prices this year. The economy is such that we should bid out for the Planning and Engineering services include the Master Plan. Supervisor Guigear asked the Board to allow the Attorney and Supervisor to bid these services. Many times the developer pays the cost of the engineering and planning and sometimes it is discouraging to some of the developers. Supervisor Guigear said that Wade Trim bid for the completion of the Master Plan in the amount of \$12,500.00 and now the cost is \$8,800.00.

Clerk T. Ketzler said the Planning Commission keeps running into road blocks where we need to ask the Planners questions and finally we decided that the Planner needs to be at the Planning Commission meetings. With the Planner in attendance the meetings run much smoother.

Supervisor Guigear said we have the opportunity to bid the process out with both contracts about to expire. Supervisor Guigear asked the Board to put out the Planning and Engineering Services for bid and also include the Master Plan. Board discussion followed regarding the Planning and Engineering Consultants being part of the same company.

Motion by Treasurer J. Oskey, seconded by Trustee D. Owens to approve and authorize the Supervisor and Attorney to bid out the Planning and Engineering Services, including the Master Plan. All ayes. Motion carried unanimously.

E. Well Meter Policy:

Supervisor Guigear spoke about the well meter policy and noted that a new meter has to be purchased about every five years. Supervisor Guigear said he could be reached after the meeting if anyone wished to discuss the matter of the well meter policy.

Clerk T. Ketzler said the gentleman she talked to said he could pay for the meter within the first year. Board discussion followed.

F. Telephone System Purchase:

Supervisor Guigear said he received three bids for the phone system and the Board members have a copy in their packets. This is a budgeted item for 2009. Supervisor Guigear reviewed the three bids with the Board members and said he would prefer to use I.T. Right as they also work on the computer system. The office staff is pleased with the service we receive from I.T. Right. They are also partners with our software suppliers, BS&A.

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Clerk T. Ketzler said she is not pleased with I.T. Right as it took three months to get Rick Frosts' name off her phone.

Trustee B. Morey said he would like to see CTI as their base company is in Genesee County. They will also provide a battery backup. CTI has a 2-year warranty that can be upgraded without any problems. Board discussion followed.

Motion by Trustee D. Owens, seconded by Treasurer J. Oskey to approve and authorize a contract with I.T. Right Phone System, Option B, in the amount of \$11,719.00. Roll Call Vote: JO, yes; BM, NO; DO, YES; DG, yes; MF, no; BH, yes; TK, no. Motion carried 4-3 with BM, MF and TK voting no.

G. Lawn Mowing Contract:

Supervisor Guigear said he would like the Board to approve him to bid out the lawn mowing contract for 2009 for Fire Central, Fire Station #2, Police Department and Mundy Township Administration Building and the two cemeteries. This would also include the weeding and cleaning of the flower beds.

Motion by Trustee D. Owens, seconded by Treasurer J. Oskey to approve and authorize Supervisor Guigear to bid out the 2009 mowing season by the next board meeting. All ayes. Motion carried unanimously.

H. Cook Road Flooding:

Supervisor Guigear said he sent a letter out to the residents regarding the Cook Road flooding just east of Linden Road. A meeting will be held on 3-10-09 to find out if the residents are interested in obtaining a SAD for their drainage issues. Supervisor Guigear said the meeting is for informational purposes only. The meeting will be held on 3-10-09 at 6:00 P.M.

CLERK: T. Ketzler:

A. Strategic Plan – Clerks:

Clerk T. Ketzler said the Clerk's Office is purchasing budgeted items that will be needed for the next year. We have three rooms of boxes and some of the boxes contain historical items that need to be addressed. The Clerk's office is responsible for these items. Clerk Ketzler asked the Board to review the Mission Statement and give their input.

B. Maxie's Liquor License:

Roger Isaac, Attorney for Sam and Cindy Terry, spoke in regards to the Board approving the Liquor License for Maxie's. Mr. Isaac explained that they are dealing with the 1994 site plan and some of the issues that have been raised by the Building Department and Fire Department that go back to 2005. Mr. Isaac said that Wade Trim determined the seating capacity and they provided a written report that verified there was a site plan in 1994. The site plan deflected a patio and outdoor addition. Mr. Isaac said this is a problem that relates to the existing building. The outdoor patio (wooden deck) is 2,600 sq. feet. The question that comes into play is that the wooden deck doesn't comply with the site plan from 1994. There was a building permit obtained in May of 2004 to add a patio. Mr. Isaac said Sam and Cindy Terry made application nine months ago for the liquor license transfer. The Township made a list of items to be completed and we have complied with what the Fire Department requested with the exception of item #8, which would cost about \$2,000.00. Mr. Isaac said there is no approval and until the Board makes an approval for the liquor license no one will spend any money. This statement is on the Liquor Control form and the Liquor Control Commission cannot approve the transfer unless it is approved by the Township Board. The Board can either deny the request or you can bring in new blood into the Township. Mr. Isaac said it is difficult to implement ideas and concepts

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when you don't own the business. We want to comply with the requirements and make this an establishment of which we can be proud.

Clerk T. Ketzler commented that very often when we come across issues that have not been built to the specifications that were approved by the Planning Commission, or things are not done to code, then there is a sale of the property and we have the opportunity to go to the original plan and make corrections to the mistakes. Clerk Ketzler said what should have happened is the Terry's should have gone to Marty Johnson, Building Official, and they could have come before the Planning Commission for an amended site plan. However, that was not done and that is why we are here today.

Attorney Belzer said a building inspector issued a permit and he didn't have the authorization to do so. We now have the question about the deck and we don't know what the Planning Commission would or would not do, but there has not been a request to the Planning Commission for an amended site plan. A lengthy discussion followed concerning the possibility of making a conditional approval for the liquor license transfer. Attorney Belzer said he would not advise the Township Board to give a conditional approval for the liquor license.

Marty Johnson, Building Official, said he is available to answer any questions that the Board might have for him. Mr. Johnson said the building codes and zoning ordinance is written for the safety, health and welfare of the residents. Mr. Johnson said all 16 items are safety related. Discussion followed.

Supervisor Guigear asked if a site plan review would remedy some of these issues. Mr. Johnson said if the site plan is approved it would remedy most of the issues. Mr. Isaac said they are willing to take the risk and go before the Planning Commission and it is up to him to satisfy what the code requires. A lengthy discussion followed.

Mr. Isaac said he is willing to adjourn this case and go before the Planning Commission and meet with Marty Johnson and bring the case back to the Board. Mr. Isaac said the issue for the site plan is the deck. He is satisfied they can do what is needed and have this case back to the Board by June.

Motion by Trustee D. Owens, seconded by Treasurer J. Oskey to adjourn the action on Maxie's Liquor License until the 6-8-09 regular meeting. All ayes. Motion carried unanimously.

C. Memorial Tree:

Clerk T. Ketzler said the Township is not allowed to purchase flowers so we have a problem when we lose someone and we want to let the family know we want to honor them. Clerk Ketzler asked if it would be possible to purchase a tree and place it on township property in honor of Mr. Halka. We could notify the family and hold a small ceremony when we plant the tree. Treasurer Oskey said the family should select the type of tree they want.

Motion by Clerk T. Ketzler, seconded by Trustee B. Morey to approve and authorize the Township Board to select a location on Township property to plant a tree in memory of Donald Halka. The family is to determine the type of tree that is to be planted. All ayes. Motion carried unanimously.

TREASURER: J. Oskey:

A. Investment Policy (draft):

Treasurer J. Oskey said he doesn't have a draft of the Investment Policy but it has been sent to the Attorney's office for his review. Treasurer Oskey informed the Board that they need to be

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certain whatever they want in the budget is listed. ~~We have lost some of our money~~ THE INTEREST RATES ARE NOT AS HIGH We are going to be looking forward and we will have some options to protect our money.

Treasurer Oskey said he would provide information to the Board to help them understand what is happening with the investment policy and any questions can be directed to him through his office or to the Finance Director.

Treasurer Oskey said under strategic planning we need to discuss ethics and build on the existing township policies that we have in place. If anyone has something that needs to be added to the policies please bring them forward. If the Board needs a copy of the existing Township policies please stop by my office to receive one.

TRUSTEES:

Trustee B. Harrison said she provided the Board with a copy of the ZBA cases for 2008 and asked the Board to review the list.

OLD BUSINESS:

A. EMS Call Report:

Supervisor D. Guigear said he received reports from all of the parties involved. Supervisor Guigear reviewed the details he received and said there were a combination of issues and a communication breakdown. Supervisor Guigear said if any of the Board members are interested in reviewing the documents they can view them in his office.

BOARD MEMBERS CONCERNS:

Trustee M. Frost suggested that an ordinance be drafted to collect fees for fire service, which would be paid for through the person's insurance. Attorney J. Belzer said the Township has such an existing ordinance, but the residents are exempt and only the people who are not a resident of the Township has to pay. Trustee Frost said the ordinance needs to be enforced. Fire Chief Romans said an amendment should be made to the ordinance. Supervisor Guigear suggested that the Fire Chief and the Fire Commission can update the ordinance and send it to the Attorney to draft the language.

PUBLIC COMMENTS:

Gerrad Godley, 7199 Windbury Lane, spoke about the curbside recycling; the Board being proactive regarding the road paving contracts and choosing the proper method of repair. Mr. Godley also noted that there are many issues that need to be addressed by the Board regarding the Condominium Estates.

Russell Riley, 9118 McCall Rd., inquired if this is the same road commission and same engineering that had to redo the roads in Coventry. Mr. Riley also spoke about changes in the phone system.

Mary Sheridan, 6398 Laura Lane, asked if the Board would be repairing Brewer Road anytime this year. Treasurer Oskey replied that Brewer Road would not be repaired in 2009.

ACCOUNTS PAYABLE:

Motion by Treasurer J. Oskey, seconded by Clerk T. Ketzler to pay all invoices totaling \$207,080.42 Checks #53935 thru #53983 the General Fund-Total \$119,728.41 and DD #2451 thru #2488 and Checks #15426 thru Check #15430, the Payroll-Total \$82,900.60 and Checks

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#1871 thru #1872 the Sewer-Total \$4,451.41 was issued. Checks dated prior to 03-09-09 shall be post audited per Resolution 08-12. All ayes. Motion carried unanimously.

Motion by Trustee D. Owens, seconded by Clerk T. Ketzler to adjourn the meeting. All ayes. Motion carried unanimously.

Meeting adjourned at 9:39 P.M.

Respectfully Submitted,

4-10-09
Dated
TK/cml

David Guigear
Torya Ketzler, Clerk

Approved:

4-7-09
Dated
KL/B/cml

David Guigear
David Guigear, Supervisor

These minutes were prepared by Cheryl M. Ladd, CMC, for Mundy Township.

4-13-09
Dated

Cheryl M. Ladd
Cheryl M. Ladd, CMC, Recording Secretary